

Application Serial No.10/533,197
Reply to Office Action of December 10, 2008

PATENT
Docket: CU-4184

REMARKS

In the Office Action, dated December 10, 2008, the Examiner states that Claims 10-18 are pending, and Claims 10-18 are rejected. By the present Amendment, Applicant amends the specification, and the claims.

In the Claims, please amend claim 10. The amendment to claim 10 is fully supported by the original disclosure, for instance on page 3 first paragraph, and therefore, no new matter has been added. In addition, new claims 19-30 have been added herein. Claim 19 includes the allowable subject matter from claim 11. Claims 20-23 relate to claims 12-16, therefore, no new matter is added by way of claims 19-23. Claim 24 is a combination of claim 10 and allowable claim 18. Claims 25-30 relate to claims 11-16, and therefore, no new matter has been added by new claims 24-30 either. The amendments to the claims can be viewed in the Amendment section of this paper in the Listing of claims beginning on page 2.

In the Office Action, Claims 10, and 12-16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Martin et al. (US 6,347,572) in view of Gesell (US 3,141,309).

On page 5, paragraph 7, of the Office Action the Examiner indicated "the claim does not explicitly require that the two communication orifices which are spaced apart angularly are the orifices through which fluid communication takes place."

In response, the Applicant has amended claim 10 to recite "whereby fluid feed and discharge of such a cylinder occurs via said first and second orifices at the same time."

In fact, Gesell teaches against such a fluid communication via the communication orifices at the same time. Therefore, a person of skill in the art would not have combined Gesell with Martin et al., in order to achieve the present invention. The Applicant submits that this amendment is fully responsive to the Examiner's comment

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and overcomes the rejection of claim 10. The Applicant respectfully submits that amended claim 10 is patentable and respectfully requests that the Examiner withdraw this rejection as to claim 10.

Furthermore, the Applicant submits that the new claims 19-30 are directed to allowable subject matter.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. The Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

5-7-2009

Date



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